

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554  
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In the Matter of

MAY 11 2005

Amendment of Section 73.202(b) )  
Table of Allotments )  
FM Broadcast Stations )  
(Churchville and Keswick, Virginia and )  
Marlinton, West Virginia) )

MB Docket No. 05- \_\_\_\_  
RM- \_\_\_\_

Federal Communications Commission  
Office of Secretary

To: Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary

**PETITION FOR RULE MAKING**

**FORCE 5 COMMUNICATIONS, LLC.**

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May 11, 2005

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### **Summary**

Force 5 Communications, LLC, licensee of WBOP(FM), Churchville, Virginia, hereby petitions the Commission to allocate Channel 292A to Marlinton, West Virginia as that community's first local service and reallocate Channel 292B1 from Churchville, Virginia to Keswick, Virginia as that community's first local service, substitute Channel 291A at Keswick, and modify the community of license for WBOP(FM) to operate on Channel 291A at Keswick. This proposal serves the public interest by providing a first aural service to more than 4,000 persons, an aural service to more than 12,000 persons currently receiving less than five aural services, and two first local services. The community of Keswick is sufficiently independent from the Charlottesville, Virginia urbanized area and is entitled to allotment of Channel 291A to the community.

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**PETITION FOR RULE MAKING**

Force 5 Communications, LLC. ("Force 5"), licensee of WBOP(FM), Churchville, Virginia, pursuant to Sections 1.401 and 1.420(i) of the Commission's Rules and by its counsel, hereby submits this Petition for Rule Making ("Petition"). Force 5 respectfully requests that the Commission initiate a rule making proceeding to make the following changes to Section 73.202(b) of the Commission's Rules: (1) allocate Channel 292A to Marlinton, West Virginia as that community's first local service; and (2) reallocate Channel 292B1 from Churchville, Virginia to Keswick, Virginia as that community's first local service, substitute Channel 291A, and modify the community of license for WBOP(FM) to operate on Channel 291A at Keswick.<sup>1</sup> As shown below, the proposed changes serve the public interest by providing a first aural service for more than 4,000 persons, an aural service to more than 12,000 persons currently receiving less than five aural services, and providing the communities of Marlinton and Keswick with a

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<sup>1</sup> Section 1.420(i) provides that "(i) in the course of the rulemaking proceeding to amend §73.202(b) . . . the Commission may modify the license . . . of an FM . . . broadcast station to specify a new community of license where the amended allotment would be mutually exclusive with the licensee's or permittee's present assignment."

first local service while not removing the only local broadcast service from Churchville.<sup>2</sup> Hence, the proposed changes constitute a preferential arrangement under the *FM Priorities*.<sup>3</sup>

## **I. Technical Compliance**

### **A. Marlinton, West Virginia**

The Petition proposes the allotment of Channel 292A to Marlinton, West Virginia as that community's first local service.<sup>4</sup> The community of Marlinton is not located within the defined boundaries of any Urbanized Area and the proposed 70 dBu for the new allotment will not cover more than 50% of any Urbanized Area.<sup>5</sup> The proposed allotment would provide the required city-grade coverage to the entire community of Marlinton, West Virginia.<sup>6</sup> As detailed in the attached Engineering Statement, the proposed allotment comports with the Commission's minimum distance separation requirements as stated in Section 73.207 of the Commission's Rules, provided that Channel 292B1 is reallocated from Churchville, Virginia to Keswick, Virginia and then Channel 291A is substituted at Keswick.

### **B. Keswick, Virginia**

The petition proposes to reallocate Channel 292B1 from Churchville, Virginia to Keswick, Virginia, substitute Channel 291A, and modify the community of license of WBOP(FM) to operate on Channel 291A at Keswick. These changes will require modification

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<sup>2</sup> WNLR(AM), Facility Identification Number 48541, is licensed to Churchville, Virginia.

<sup>3</sup> The FM allotment priorities are: (1) First fulltime aural service; (2) Second fulltime aural service; (3) First local service; and (4) Other public interest matters. Co-equal weight is given to Priorities (2) and (3). *See Revision of FM Assignment Policies and Procedures*, 99 FCC 2d 88 (the "*FM Priorities*").

<sup>4</sup> The reference coordinates are 38-13-38 N and 80-07-05 W. *See* Engineering Statement of Robert M. Smith, attached as Exhibit 1 ("Engineering Statement").

<sup>5</sup> Throughout this Petition, the term "Urbanized Area" refers to those Qualifying Urban areas specified in *Qualifying Urban Areas for Census 2000*, Federal Register Vol. 67, No. 84 (rel. May 1, 2002).

<sup>6</sup> *See* Engineering Statement at 3.

of the current WBOP(FM) authorization to change the community of license for the station from Churchville to Keswick with a relocation of the transmitter site to new reference coordinates.<sup>7</sup>

The community of Keswick is not located within the defined boundaries of any Urbanized Area, but the proposed 70 dBu contour for Channel 291A at Keswick will cover the Charlottesville, Virginia urbanized area.<sup>8</sup>

Petitioners seeking to change the community of license pursuant to Section 1.420(i) must propose a channel that is mutually exclusive with the existing station's channel and the new community must be preferred over the existing community pursuant to the Commission's FM allotment priorities.<sup>9</sup> The proposed allotment of Channel 291A to Keswick is mutually exclusive with the existing allotment of Channel 292B1 to Churchville and comports with the Commission's minimum distance separation requirements as stated in Section 73.202(b). The proposed allotment will provide Keswick with its first local service while Churchville would retain a first local service.

The proposed allotment complies fully with the FCC's community coverage requirements and no waiver of Section 73.315(a) is necessary. Section 73.315(a) of the FCC's Rules requires that any proposed allotment site must provide 70 dBu coverage over the entire community of license. In interpreting Section 73.315(a), the FCC has held that in some contexts the town's political boundaries are irrelevant for purposes of determining compliance with the city-grade coverage requirements; instead only the town's urban portions need to receive 70 dBu coverage. For example, the FCC has stated that many New England towns actually encompass a center urban area with large surrounding rural areas and were established along township lines that bore

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<sup>7</sup> The reference coordinates are 38-01-48 N and 78-22-55 W. *See Id.* at 2.

<sup>8</sup> *See Id.* at 3.

<sup>9</sup> *See Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990).

little resemblance to the extent of the actual urbanized area which in turn, was very much smaller than the designated city limits.<sup>10</sup> Accordingly, in those instances the FCC has ruled that proposals to serve the urban portions of a town comply with Section 73.315(a) without the need for a waiver.

Keswick shares these characteristics. Keswick does not have the defined boundaries of a traditional town. In Albemarle County, where Keswick is located, only two cities have defined boundaries, Charlottesville and Scottsville. Nor is this phenomena limited to Albemarle County. Within the 95 counties that comprise the state of Virginia, there are only 40 independent cities with defined boundaries.<sup>11</sup> The lack of defined boundaries for communities has not prevented the FCC from issuing licenses for AM and FM radio broadcast stations to the communities of Crozet<sup>12</sup> and Earlysville,<sup>13</sup> both located within Albemarle County, neither of which have defined boundaries. It is therefore necessary to define the boundary of Keswick for purposes of this rule making petition.

Similar to New England towns, most Keswick residents live within a central population center, which is located within a diamond shape area bounded by Route 616 to the Northeast, the Albemarle/Fluvanna County town line to the Southeast, the Rivanna River to the Southwest, and Route 22 to the Northwest.<sup>14</sup> The boundaries of Keswick could be extended in a northeasterly direction towards the intersection of Route 22 and 231 with the Shadwell Mountains to the north and west and the Albemarle/Fluvanna county town line to the east serving as town boundaries,

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<sup>10</sup> See, e.g., *Alpha & Omega Educational Broadcast Foundation, Inc. et al.*, 5 FCC Rcd 2693 (1990); *Reikshire Broadcasting South, Inc.*, 2 FCC Rcd 3226 (1987) (holding that applications satisfied city-grade coverage requirement when demonstrating cover to the urban portion of the town of Great Barrington, Massachusetts); *Andy Valley Broadcasting System, Inc.*, 12 FCC 2d 3 (1968); *Manchester Broadcasting Co.*, 24 FCC 19 (1958).

<sup>11</sup> See <http://www.virginia.org/images/factpack.pdf>.

<sup>12</sup> WSUH(FM), Facility Identification Number 11672 and WMRY(FM), Facility Identification Number 6130, are licensed to Crozet.

<sup>13</sup> WKTR(AM), Facility Identification Number 73191, is licensed to Earlysville.

<sup>14</sup> Exhibit 2 is a map depicting the boundaries of the urban center for Keswick.

although most of this expanded area for Keswick consists of farms and estates and is sparsely populated.<sup>15</sup> Regardless of which definition of the boundaries for Keswick is used, the entire area would be located within the proposed 70 dBu contour for Channel 291A at Keswick.<sup>16</sup> Accordingly, the proposed allotment of Channel 291A to Keswick would place the required city-grade signal over the community of Keswick.

## **II. The Proposed Changes Serve the Public Interest**

The Petition proposes changes to Section 73.202(b) of the Commission's Rules to the communities of Marlinton, West Virginia and Churchville and Keswick, Virginia that represent a preferential arrangement under the *FM Priorities* and therefore serve the public interest. The proposed allocations of Channel 292A to Marlinton and Channel 291A to Keswick serve the public interest by creating two first local services. The Marlinton allotment would provide first fulltime aural service to more than 4,000 persons and provide an aural service to more than 12,000 persons presently receiving less than five aural services.<sup>17</sup> In accordance with the *FM Priorities*, the proposed allocations represent an enhanced allotment priority over retention of Channel 292B1 in Churchville as a second local service because the allocations will result in the introduction of a first aural service and two first local services. First aural service constitutes priority (1) and local service constitutes priority (3) under the *FM Priorities*, while retention of the existing allotment in Churchville represents at best priority (4). Accordingly, the proposed changes to Section 73.202(b) specified in this petition serve the public interest.

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<sup>15</sup> Exhibit 3 is a map depicting the boundaries of the urban center and rural portions of Keswick.

<sup>16</sup> See Engineering Statement at 3. A third alternative for defining the community boundaries for Keswick would be to use the boundaries established by the United States Post Service for the zip code for Keswick. (22947). Even if the FCC were to use this definition to define Keswick, the proposed allotment would still place the required city-grade signal over the entire community. See *Id.*

<sup>17</sup> See *Id.* at 6.



### III. Communities of License

As described below, the communities described herein --- Marlinton and Keswick --- each constitutes a "community" for allotment purposes in accordance with Commission precedent. To qualify as a community for allotment purposes, the Commission has stated that a locality must have "social, economic, cultural or governmental indicia" that identify that locality as a community.<sup>18</sup> Petitioners may satisfy the showing of community status by demonstrating that the locality "is commonly regarded as a distinct group," which may be shown "by objective indications of the existence of a common perception that a locality's populace constitutes a distinct geographical population."<sup>19</sup> The Commission has held that objective indications of community status include the existence of political, commercial, social and religious organizations and services in the community where the residents function and conceive of themselves as residents of a community. Marlinton and Keswick have sufficient objective indicia of community status, which are described in more detail below.

Moreover, while the proposed allotment of Keswick would place a city-grade signal over the Charlottesville, Virginia Urbanized Area, Keswick is sufficiently independent of the Urbanized Area that Keswick is entitled to consideration as a first local service based upon the Commission's well-established *Tuck* factors and *Huntington*-related precedent.<sup>20</sup>

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<sup>18</sup> See *Avon, North Carolina*, 14 FCC Rcd 3939, 3940 (1990).

<sup>19</sup> See *Implementation of BC Docket No. 80-90 to Increase the Availability of FM Broadcast Assignments*, 5 FCC Rcd 934 (1990).

<sup>20</sup> See *Headland, Alabama and Chattahoochee, Florida*, 10 FCC Rcd 10352 (Allocations Branch, 1995) (adopting requirement that stations seeking to move from rural communities to communities near Urbanized Areas must provide a *Tuck* showing if the allotment would place a 70 dBu signal over 50% or more of Urbanized Area); *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) (delineating eight-factor analysis for determining a proposed community's independence from a nearby Urbanized Area); *Huntington Broadcasting Co.*, 192 F.2d 33 (D.C. Cir. 1951).

#### **A. Marlinton, West Virginia**

Force 5 requests the allocation of Channel 292A as a first local service to the community of Marlinton, West Virginia. Marlinton possesses the characteristics of a community, as shown in Exhibit 4. The Marlinton community has a population of 1,204 and is listed in the 2000 United States Census.<sup>21</sup> Marlinton was established in 1749 and named after Jacob Marlin, one of the town's early settlers. Today the citizens of Marlinton work in industries such as agriculture, construction, manufacturing, retail, transportation, public administration and education, health and social services.

Marlinton has its own zip code and post office, both of which are indicative of an established community. Marlinton has two libraries, eleven churches, an elementary school, several grocery stores, restaurants, physicians, pharmacies, four banks, insurance companies, antique stores, motels, bed and breakfasts and inns for accommodations, and the Marlinton Chamber of Commerce. Numerous businesses are located in Marlinton, including Huntersville Grocery, Dairy Queen, Mill Run Restaurant, Edray Kwik Stop, State Farm Insurance, Rite Aid Pharmacy, Carriage House Inn, French's Diner, and Candles, Crafts and Creations. The Pocahontas County Historical Museum is located in Marlinton.

Marlinton is the county seat for Pocahontas County. The Pocahontas Times, the local newspaper, is published every Thursday in Marlinton. The town provides water, sewer and electricity to the community. Marlinton is governed by a mayor and town council. Marlinton has its own police department and fire department. Several entities identify themselves as being part of the community, including the Marlinton Presbyterian Church, Marlinton United Methodist Church, Marlinton Elementary School, Marlinton Water Plant, Marlinton's Municipal Water, Marlinton's Building Official, Marlinton Motor Inn, Marlinton Chamber of Commerce,

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<sup>21</sup> See <http://www.census.gov/popest/cities/tables/SUB-EST2003-04-54.pdf>.

and the Marlinton Volunteer Fire Department. In light of these objective indicia of community status, Marlinton qualifies as a community for allotment of that community's first local service. Further, as noted *supra*, Marlinton is not located within the defined boundaries of any Urbanized Area and the proposed 70 dBu signal will not cover more than 50% of any Urbanized Area; thus no *Tuck* analysis is required.

## **B. Keswick, Virginia**

Force 5 requests the reallocation of Channel 292B1 from Churchville, Virginia to Keswick, Virginia, the substitution of Channel 291A for 292B1, and the modification of authorization for WBOP(FM) to operate on Channel 291A at Keswick. Keswick possesses the elements of a community, as shown in Exhibits 5-10 and discussed in greater detail below.

Present day Keswick can trace its roots back to the early 18<sup>th</sup> century when the King of England made land grants of the area that would become Keswick to George Hoomes and Nicholas Merriwether. The town of Keswick was created in 1849 when the Virginia Central railroad built a railroad depot in the community. Keswick has participated in events of great importance to the history of the United States, including the American Revolution and the American Civil War. Historic mansions, some dating before the American Civil War, are located in Keswick.

Keswick has its own zip code and post office, both of which are indicative of an established community. More than 95 commercial businesses are included in Keswick, providing financial services, insurance, farming, construction and real estate services to the community. Keswick residents may purchase groceries at three local grocery stores, golf at two golf courses, have their automobiles repaired by local mechanics, and worship in one of six

churches located in the community. Three schools – two private and one public --- are located in Keswick. Numerous businesses incorporate Keswick into their business name, the most famous being Keswick Hall, Keswick Vineyards and Keswick Farms. There are several residential developments in Keswick, as well as estates for raising and training horses. The community has its own volunteer fire department.

Keswick is well known as a center for equestrian activities. Keswick has its own hunt club and equestrian competitions. Many horse farms are located in Keswick, not to mention veterinarian and related services for raising and training horses.

Albemarle County provides municipal services to Keswick. Keswick residents have local representation in Albemarle County through their right to vote for one the six supervisors that serve on the Board of Supervisors for Albemarle County. Keswick residents may also participate on various county civic and municipal organizations that provide service to Albemarle County, including the local volunteer fire department.

The Commission has held in the past that such factors are sufficient to qualify Keswick as a community. In *Dos Palos, Chualar, and Big Sur, California*, 19 FCC Rcd 1826 (Aud. Div. 2004), the Commission conferred community status upon Big Sur, even though the community was not incorporated or listed in the United States Census, because Big Sur had sufficient indicia of community status such as hotels, resorts, restaurants, businesses, churches, schools and the testimony of local residents. Similarly, in *Belfry and Harold, Kentucky*, 6 FCC Rcd 6019 (Alloc. Branch 1991), the FCC held that a community qualified for allotment purposes even though the community had no local government and provided no municipal services. Harold, the community in question, had only a post office, elementary school, one church, and several small businesses. Keswick, in contrast, has a post office, elementary school, hotel, six churches and

more than 95 commercial businesses. The population of Keswick is also six times larger than the community of Harold, 3,668 persons in Keswick compared to 600 persons in Harold. The combination of social, cultural and economic indicia overwhelming qualifies Keswick as a community for allotment purposes.

#### **i. Application of Eight-Factor Tuck Analysis**

Force 5's engineering analysis indicates that the proposed allotment to Keswick would produce a 70 dBu signal over the Charlottesville, Virginia Urbanized Area.<sup>22</sup> Accordingly, this Petition provides an analysis using the factors delineated in *Faye and Richard Tuck* as required by Commission precedent.<sup>23</sup> In prior decisions, the Commission has affirmed that where the *Huntington* doctrine applies, the paramount consideration in determining whether a community is entitled to a preference as a first local service is the proposed community's independence from the nearby central city.<sup>24</sup> The Commission considers eight indicia of community status (the "Tuck" factors) in assessing a community's independence from the central city: (1) the extent to which the community's residents work in the larger metropolitan area, rather than in the specified community; (2) whether the community has its own newspaper or other media that cover the community's local needs and interests; (3) whether community leaders and residents perceive the specified community as an integral part of, or separate from, the larger community; (4) whether the specified community has a local government and elected officials; (5) whether the specified community has its own local telephone book provided by the local telephone

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<sup>22</sup> See Engineering Statement at 3.

<sup>23</sup> See *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) (detailing eight factors relating to a proposed community's independence from a nearby Urbanized Area).

<sup>24</sup> See, e.g., *Pitkin, Lake Charles et al.*, 15 FCC Rcd 17311 at ¶ 9 (Allocations Branch, 2000). The Commission also considers two additional criteria, which are discussed in more detail *infra*: the relative size and proximity of the suburban community to the Urbanized Area and the signal coverage to be provided to the Urbanized Area.

company or zip code; (6) whether the community has its own commercial establishments, health facilities and transportation systems; (7) the extent to which the specified community and the central city are part of the same advertising market; and (8) the extent to which the specified community relies upon the larger metropolitan area for various municipal services, such as police, fire protection, schools and libraries.<sup>25</sup> Proponents must demonstrate that a majority of these factors support a purported community's independence.<sup>26</sup> This is the case with the instant Petition, which demonstrates Keswick's independence from Charlottesville and entitlement to a first local service.

**a. Keswick Offers Residents Significant Employment Opportunities (Factor 1)**

As listed in Exhibit 5, Keswick is home to more than 95 local businesses, such as Keswick Hall, Keswick Vineyards, Keswick Associates, Inc., Jimmy's Tree Service, Animal Haven, Humiston Equestrian Center, Countryside Veterinary Service, Old Dominion Tannery, Comfort Heating & Air, Keswick Estate Real Estate, Travers Commercial Mortgage, Easton's Furniture, Thompson's Upholstery, Compass Computer Solutions, Keswick Loader Service, C M Contracting, Sellinger Homes, Audio Visions, Keswick TV & Video Service, Bobbi's Grocery, Zane's Electrical Service, Buddy's Automotive Repair, Cottrill Construction, Rosenstein Associates, Mixworx Media & Marketing, Ltd., Stokes of England Blacksmiths, Capital Concepts, McGill Metalsmithing, Brubaker Lynn Photography, Health Services Foundation, and Keswick Carriage Co-Wedding. These businesses provide local employment opportunities for Keswick residents in agriculture, construction, transportation, information, financial, insurance, real estate, trade and manufacturing. According to the U.S. Census Bureau, local industry in

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<sup>25</sup> See, e.g., *Faye and Richard Tuck* at ¶ 36.

<sup>26</sup> See *Parker and Port St. Joe, Florida*, 11 FCC Rcd 1095 (Allocations Branch 1996).

Keswick provides employment opportunities for more than 1,340 persons,<sup>27</sup> or more than 66% of the available labor force for Keswick.<sup>28</sup> A substantial portion of Keswick residents may work in Keswick and need not rely upon Charlottesville for their livelihood. Accordingly, Keswick offers significant employment opportunities separate from Charlottesville.

**b. Keswick Residents Has Its Own Media That Cover the Community's Local Needs and Interests (Factor 2)**

The residents of Keswick has access to local publications, both in print and online, that provide information addressing the local needs and interests of the community. The Piper Magazine is published periodically and provides information of value to the residents within Keswick.<sup>29</sup> Similarly, Topix.Net provides news and information about Keswick to the residents online.<sup>30</sup>

**c. Keswick Residents and Community Leaders Clearly Consider Keswick As Separate From Charlottesville (Factor 3)**

Several factors demonstrate the perception held by Keswick residents and community leaders that their community is separate from Keswick. Among other things, Keswick has developed a unique historical identity that differs from Charlottesville. Keswick was considered the western frontier of Virginia during the first half of the 18<sup>th</sup> century. George Hoomes and Nicholas Meriwether obtained the first grant of land in Albemarle County. The grant of land to Nicholas Meriwether was subsequently partitioned again and again over the next half century. One of those partitions created an estate called Keswick. The town of Keswick was formally

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<sup>27</sup> See <http://censtats.census.gov/cgi-bin/zbpnaic/zbsect.pl> and Exhibit 6.

<sup>28</sup> The estimated labor force (population age 16 years and over) in Keswick is 2,019. See <http://www.brainyzip.com/zipcodes/22/22947.html>.

<sup>29</sup> See Exhibit 7.

<sup>30</sup> See <http://www.topix.net/city/keswick-va> and Exhibit 7.

established in 1849 when the Virginia Central built a railroad depot that crossed over this estate. The local post office was moved to Keswick in the same year from Everetttsville and renamed Keswick Depot. In 1877, the name of the community was changed to Keswick.

Keswick has been witness to pivotal moments in American History. Legend has it that British troops, pursuing then Virginia Governor Thomas Jefferson and the Virginia legislature in 1781, were delayed at the Castle Hill plantation in Keswick by Dr. Thomas Walker, the owner of Castle Hill, just long enough for Governor Jefferson and the Virginia legislature to leave Monticello and Charlottesville, thereby avoiding capture. Confederate troops and artillery were located in Keswick in 1864 on their way from Tennessee to Virginia for the Battle of the Wilderness.

Grace Episcopal Church, located in Keswick, is one of six "colonial" churches in Virginia. This means that the church was founded when Virginia was still a colony under the dominion of the King of England. The original church was built in 1745, rebuilt in 1846-54, and rebuilt a final time in 1896.

Perhaps the most prominent and famous building in the community is Keswick Hall. Originally a private residence built in 1912 upon the remnants of a pre-civil war mansion, in 1939 the estate became the residence for the newly formed Keswick Country Club. The Keswick Club overlooks the Keswick golf course, designed by Arnold Palmer. Adjacent to the Keswick Club is Keswick Hall, a luxurious country house hotel for guests interested in golfing at Keswick or exploring nearby Monticello and Charlottesville. Surrounding the golf course is the Keswick Estate, luxurious homes on two to five acre lots.

Six churches are located in Keswick --- Colonial Baptist Church, Grace Episcopal Church-Keswick, South Plaines Presbyterian Church, Union Grove Baptist Church, Union Run



Baptist Church and Zion Baptist Church. Oakland School and Little Keswick School are located in Keswick.

Many local businesses demonstrate their connection to Keswick by including the community's name in their business name. For example, Keswick is home to Keswick Associates, Inc., Keswick Vineyards, Keswick Loader Service, Little Keswick School, Keswick TV & Video Service, Keswick Estate Real Estate, Keswick Carriage Co-Wedding, and Grace Episcopal Church-Keswick.<sup>31</sup> Numerous signs and other landmarks also incorporate the name Keswick, further supporting the independence of this community from Charlottesville.<sup>32</sup>

Keswick is renowned for equestrian sports. The Keswick Hunt Club was established in 1896 and each year holds the Virginia Celebrity Freestyle Competition at the Keswick Club show grounds. Many estates and horse farms are located along Route 22 in Keswick, including Belvoir Farm, Keswick Horse Park, Snow Hill Farm, Tim Hare Farm, and Glenmore Equestrian Center. The Keswick Charity Grand Prix is held in Keswick each year. The Virginia Dressage Association held its 5<sup>th</sup> Annual Celebrity Musical Freestyle Dressage Horse Competition in Keswick on June 19, 2004 at the Keswick Hunt Horse Show Grounds to benefit the Christopher Reeve Paralysis Foundation.<sup>33</sup> The event raised more than \$100,000 for the Foundation. The Keswick Equestrian Foundation raises money for local charities, raising more than \$150,000 in 2000 from the Keswick Horse Show. The Dave Matthews Band, through its private foundation, supports the Keswick Equestrian Foundation. The 101<sup>st</sup> Keswick Horse Show will be held in Keswick from May 18-22, 2005.<sup>34</sup> The annual blessing of the hounds for the Keswick Hunt Club is held at Grace Episcopal Church.

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<sup>31</sup> See Exhibit 8.

<sup>32</sup> See *Id.*

<sup>33</sup> See Exhibit 9.

<sup>34</sup> See Exhibit 10.

The residents of Keswick identify themselves as members of the community. Nowhere is this more evident than in equestrian events. For example, a horse owned by Elizabeth Spender of Keswick, Virginia won in the Winter Equestrian Festival in Wellington, Florida on January 27, 2005.<sup>35</sup> Similarly, Aimee Aron of Keswick, Virginia won the Chesapeake Petroleum National Open Speed Stake on December 4, 2004.<sup>36</sup> In 2002, Kenneth Wheeler of Keswick, Virginia became the first recipient of the Norman K. Dunn Trophy, for competing in-hand or at halter.<sup>37</sup>

**d. Keswick Has Local Representation Separate From Charlottesville (Factor 4)**

Keswick has local representation separate from Charlottesville. The Commonwealth of Virginia is different from other states in that local governance rests not with the local municipalities but with the 95 counties and 40 independent cities within the Commonwealth. The counties and independent cities have separate authority from one another, including their own court systems, municipal services, levying taxes, and representation. Albemarle County, in which Keswick is located, is governed by a Board of Supervisors. The residents of Keswick have the right to participate in election for one of the Board of Supervisors for Albemarle County. Charlottesville, an independent city, is governed by a 5 member city council. The Charlottesville city council does not govern Keswick.

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<sup>35</sup> See Exhibit 9.

<sup>36</sup> See *Id.*

<sup>37</sup> See *Id.*

**e. Keswick Has a Zip Code (Factor 5)**

Keswick has its own post office, located at 3991 Louisa Road, Keswick, Virginia. The zip code is 22947.<sup>38</sup>

**f. Keswick Has Its Own Commercial Businesses (Factor 6)**

Keswick has more than 95 commercial businesses that provide various services to Keswick residents.<sup>39</sup> These businesses include financial services,<sup>40</sup> insurance,<sup>41</sup> farming,<sup>42</sup> contractors,<sup>43</sup> graphic design,<sup>44</sup> and real estate.<sup>45</sup> Veterinarian services for the farmers and horse breeders in Keswick are provided by Animal Haven, Humiston Equestrian Center, Livestock Breeders, Countryside Veterinary Service, and Summer Field Farm. Keswick residents may purchase groceries at Bobbi's Grocery, Boyd Tavern Market, and Cismont General Store, all located in Keswick. They may golf at either the Keswick Country Club or the Glenmore Country Club. Their automobiles may be repaired at either Buddy's Automotive Repair or Mickey Auto Care Center. Professional photographers, lawyers and accountants work in Keswick.

---

<sup>38</sup> See *Pittsfield and Easthampton, Massachusetts, and Malta, New York*, DA 04-3809 (Aud. Div. 2004) (proposed community earns favorable finding under Factor 5 because the community has its own zip code).

<sup>39</sup> See Exhibit 5.

<sup>40</sup> Examples include Keswick Associates, Inc., Neathery & Associates, and Dyer Enterprises.

<sup>41</sup> Examples include Security Mutual Life Insurance, and Thomas C. Scott Associates,

<sup>42</sup> Examples include Cloverfield Farms, Hill Castle Farm, November Hill Farm and Tall Oaks Farm.

<sup>43</sup> Examples include Comfort Heating & Air, Quality Heating & Air, C M Contracting, Central Virginia Powerwash, Cottrill Construction, and Preston Stallings, Inc..

<sup>44</sup> Examples include OO Grady Design and Personalized Paper Products.

<sup>45</sup> Examples include Keswick Estate Real Estate, Travers Commercial Mortgage and Real Estate III.

**g. Keswick Does Not Reply Upon Charlottesville for the Provision of Municipal Services (Factor 8)**

Keswick does not rely upon Charlottesville for the provision of municipal services. Keswick is part of Albemarle County while Charlottesville is an independent city. Independent cities in the Commonwealth of Virginia enjoy the same authority as counties, and have separate court systems, taxing authority, and the provision of municipal services. Charlottesville provides municipal services to the residents of Charlottesville only, a defined geographical area that does not include Keswick. Albemarle County, on the other hand, provides municipal services to Keswick and any other municipality located within Albemarle County. For example, the East Rivanna Volunteer Fire Company in Keswick provides fire protection services to Keswick. Because Albemarle County and Charlottesville are discreet and separate political entities, Keswick does not receive any municipal services from Charlottesville.

**ii. Additional Considerations for First Local Service**

As required, Keswick satisfies the majority of the Commission's *Tuck* criteria, and thus is entitled to a preference as a first local service. The Commission's analysis of two additional *Huntington* considerations further supports this conclusion. First, the Commission considers the extent to which the proposed broadcast station will provide service to the entire nearby Urbanized Area. Second, the Commission considers the relative populations of the suburban and central city.

As described above, the Petitioner's engineering analysis indicates that the proposed Keswick allotment would provide 70 dBu service to the Charlottesville urbanized area. However, with regard to relative size and proximity, Keswick's 2000 population of 3,668 constitutes approximately 8.14% of the 2000 population of Charlottesville, Virginia Urbanized

Area (45,049). This percentage exceeds percentages approved by the Commission in other proceedings.<sup>46</sup> The two communities are separated by more than five miles and are located on *opposite sides of the Shadwell Mountains and Monticello*.

Keswick's independence from Charlottesville stems from many economic, geographic and historic factors that strongly support Keswick's qualifications for an FM Allotment that would constitute a first local aural transmission service for the community. Accordingly, Force 5 reaffirms its position in the Petition and respectfully submits that Keswick is entitled to a preference as a first local service.

### **CONCLUSION**

The Petition proposes the following changes to the FM Table of Allotments:

#### **Channel Number**

<b><u>Community</u></b>	<b><u>Current</u></b>	<b><u>Proposed</u></b>
Marlinton, West Virginia	----	292A
Churchville, Virginia	292B1	----- <sup>47</sup>
Keswick, Virginia	----	291A

This proposal will serve the public interest by providing a first aural service for more than 4,000 persons, another aural service for more than 12,000 persons presently not receiving a fifth aural service, and providing the communities of Marlinton and Keswick with their own first local service. For these reasons, Force 5 respectfully requests that the Commission initiate and approve this rule making proceeding to modify the FM Table of Allotments as proposed herein to provide improved service to the local communities involved, which will result in greater benefit to the public.

---

<sup>46</sup> See, e.g., *Ada and Newcastle and Watonga, Oklahoma*, 22 FCC Rcd 16896 (1996) (0.9 percent).

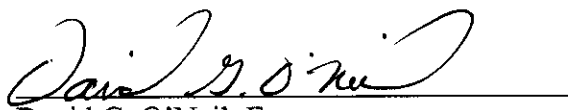
<sup>47</sup> Churchville will continue to receive first local service from WNLR(AM).

Force 5 states that if the FCC grants this Petition and reallocates Channel 292B1 from Churchville and allocates Channel 291A to Keswick, Virginia, Force 5 will file the necessary application for construction permit with the FCC and construct the facilities in a timely manner. Force 5 further states that when the Commission conducts a auction to award a construction permit for Channel 292A in Marlinton, West Virginia, Force 5 will file the necessary forms and applications to participate in any auction, and if Force 5 is successful in the auction, will timely file the necessary application for a construction permit for the new station and will construct the new facilities in a timely manner.

**WHEREFORE**, in light of the foregoing, Force 5 Communications, LLC respectfully requests that the Commission issue a Notice of Proposed Rule Making in connection with the proposal outlined in this Petition for Rule Making and modify Section 73.202(b) accordingly.

Respectfully submitted,

**FORCE 5 COMMUNICATIONS, LLC**

  
David G. O'Neil, Esq.  
Rini Coran, PC  
1501 M Street, NW  
Suite 1150  
Washington, DC 20005  
(202) 955-3931

May 11, 2005

Its Counsel

**EXHIBIT 1**  
**ENGINEERING STATEMENT OF**  
**ROBERT M. SMITH**

**R. M. SMITH ASSOCIATES**  
BROADCAST TECHNICAL CONSULTANTS  
4267 NW FEDERAL HIGHWAY #120 - JENSEN BEACH, FL 34957  
(772) 335-0688 FAX (772) 335-1438  
E-MAIL [Rmsradio@adelphia.net](mailto:Rmsradio@adelphia.net)

**ENGINEERING STATEMENT**

**IN SUPPORT OF  
PETITION FOR RULE MAKING**

**BY:**

**FORCE 5 COMMUNICATIONS, LLC**

**May 2005**



## **PURPOSE AND SCOPE**

The Petition, of which this Statement is a part, requests a modification of the F.C.C. FM Table of Allotments in 47 CFR §73.202 as follows:

1. Delete the allotment of channel 292B1 at Churchville, VA
2. Add an allotment of channel 291A at Keswick, VA
3. Add an allotment of channel 292A at Marlinton, WV

The results of these changes are:

1. WBOP(FM)'s (FCC Facility ID 52394) principal community changes from Churchville, VA (on channel 292B1) to Keswick, VA (on channel 291A) as Keswick's first local service.
2. Marlinton, WV receives its first local service on channel 292A

This Statement supports the Petition by showing that the new allotments comply with applicable spacing requirements, provide 70 dBu coverage to the principal communities of the new allotments and that the proposed allotments are mutually exclusive with the present allotments.

## **ALLOTMENT SPACING**

### **CHANNEL 291A AT KESWICK, VA**

A computerized search of the F.C.C.'s CDBS FM database shows that an allotment site specified at N38-01-48, W78-22-55 is fully spaced per the requirements of 47 C.F.R. §73.207(b)(1) to all domestic stations/allotments including the proposed allotment of 292A at Marlinton, WV.

### **CHANNEL 292A AT MARLINTON, WV**

A computerized search of the F.C.C.'s CDBS FM database shows that an allotment site specified at N38-13-38, W80-07-05 is fully spaced per the requirements of 47 C.F.R. §73.207(b)(1) to all domestic stations/allotments including the proposed allotment of 291A at Keswick, VA.

## **PRINCIPAL COMMUNITY COVERAGE**

Plotted on Figure 1 is the outline of the boundary of Keswick, VA, and a portion of the 70 dBu F(50,50) contour generated by full Class A facility at the proposed Keswick allotment site.

*As shown, the principal community lies completely within the proposed 70 dBu contour.*

As shown in Figure 2, the 70 dBu encompasses the city and much of the surrounding Urbanized Area of Charlottesville, VA.

Plotted on Figure 3 is the outline of the boundary of the town of Marlinton, WV, and a portion of the 70 dBu F(50,50) contour generated by full Class A facility at the Marlinton allotment site. As shown, the principal community lies completely within the proposed 70 dBu contour.

## **PRESENT VERSUS PROPOSED SERVICE**

### **WBOP(FM) – CHURCHVILLE, VA TO KESWICK, VA**

The present WBOP(FM) facility's 60 dBu contour encompasses an area of 4,230 square kilometers and 202,931 persons. The 60 dBu contour from the proposed operation of Channel 291A in Keswick, VA encompasses 2,522 square kilometers and 154,397 persons.

### **ALLOTMENT 292A – MARLINTON, WV**

The 60 dBu contour from a full Class A facility on channel 292A at the proposed allotment site encompasses 3299 square kilometers and a population of 15,118 persons. All of this area and population will be receiving new 60 dBu service.

### **POPULATION SUMMARY**

<u>ALLOTMENT</u>	<u>PRESENT</u>	<u>PROPOSED</u>	<u>CHANGE</u>
292B1	202,931	154,397	-48,534
292A	<u>0</u>	<u>15,118</u>	<u>+15,118</u>
TOTALS	202,931	169,515	-33,416

A modification of the Table of Allotments, as proposed in this Petition will result in an decrease of 33,416 persons (16.5% decrease) receiving 60 dBu service from the combined operation of the proposed allotments.

The operation of WBOP(FM) on 291A at Keswick, VA will provide the first local aural service to that community.

The allotment of 292A to Marlinton, WV will provide that community with its first local service.

### **MUTUAL EXCLUSIVITY**

The proposed allotment site for 291A at Keswick, VA is separated by 63.8 km from the present 292B1 operation of WBOP(FM) at Churchville, VA. The minimum distance separation required between first adjacent Class A and B1 facilities is 96 km. No sites exist in the Churchville and Keswick areas that would allow the simultaneous operation on channel 292A in Keswick and channel 292B1 in Churchville.

The proposed allotment site for 292A at Marlinton WV is 91.3 km from the present 292B1 operation of WBOP(FM) at Churchville, VA. First adjacent class A and B1 facilities must be separated by a minimum of 143 km. No sites exist in the Churchville and Marlinton areas that would allow channel 292 to be allotted to both communities.

### **REMAINING SERVICES IN CHURCHVILLE, VA**

Only one loss area is definable; the area within the 60 dBu contour of the present operation of WBOP(FM) at Churchville, VA.

Figure 4 is a plot of the 60 dBu contour generated by the present operation of WBOP(FM), the loss area, (in black). Also plotted on this Figure are some of the 60 dBu contours of FM stations and some of the 5.0 mV/m contours of AM stations that overlap the Loss Area. At a minimum, the following stations have 60 dBu or 5.0 mV/m contours that overlap in part the Loss Area. Not all contours are shown.

#### **FM STATIONS**

WSVO(FM)	226A	Staunton, VA
WZXI(FM)	238A	Buffalo Gap, VA
WJDV(FM)	286A	Bridgewater, VA
WQPO(FM)	264B	Harrisonburg, VA
WYYD(FM)	300C1	Amherst, VA

WACL(FM)	253B1	Elkton, VA
WMJA(FM)	274B	Appomattox, VA
WCYK-FM	259B	Staunton, VA
WTON-FM	232B1	Staunton, VA
WBHB-FM	241B1	Broadway, VA
WMRA(FM)	214B	Harrisonburg, VA
WKCY-FM	282B	Harrisonburg, VA
WPVA(FM)	211B1	Waynesboro, VA
WVTU(FM)	207B1	Charlottesville, VA
WVLS(FM)	209B1	Monterey, VA
WEMC(FM)	219A	Harrisonburg, VA
WXJM(FM)	204A	Harrisonburg, VA
WSUH(FM)	272A	Crozet, VA
WZZU(FM)	250C3	Lynchburg, VA
WHTE-FM	270A	Ruckersville, VA
WMRY(FM)	278A	Crozet, VA
WCJZ(FM)	298A	Charlottesville, VA
WWWV(FM)	248B	Charlottesville, VA
WQMZ(FM)	236A	Charlottesville, VA
WAZR(FM)	229B1	Woodstock, VA
WLTK(FM)	277A	New Market, VA
WWZW(FM)	244B1	Buena Vista, VA
WSIG-FM	245B1	Mount Jackson, VA

#### **AM STATIONS**

WSVA(AM)	550/5.0 kW	Harrisonburg, VA
WKCY(AM)	1300/5.0 kW	Harrisonburg, VA
WTON(AM)	1240/1.0 kW	Staunton, VA
WNLR(AM)	1150/2.5 kW	Churchville, VA
WKDW(AM)	900/2.5 kW	Staunton, VA

All of the loss area, with the exception of some small areas in the western and northwestern portions of the present WBOP(FM) service area, will retain five or more aural services. Figure 5 shows the underserved areas. Two areas will be left with three remaining aural services and three areas will be left with four aural services. All of the underserved areas are in sparsely populated, mountainous terrain. The underserved areas are tabulated below:

<u>AREA</u>	<u>REMAINING SERVICES</u>	<u>POPULATION <sup>1/</sup></u>
A	3	<20
B	4	<45
C	4	0
D	3	0
E	4	0

#### **CURRENT SERVICES IN MARLINTON, WV**

The area around the proposed allotment at Marlinton is severely underserved. Figure 6 is a plot of the 60 dBu contour (in black) from a full Class A facility at the Marlinton allotment site. Also plotted on this Figure are the 60 dBu contours of all FM facilities overlapping the Marlinton 60 dBu contour, the 5.0 mV/m contours of all AM facilities overlapping the Marlinton 60 dBu contour and the number of aural services in selected areas. As shown, much of the area presently receives none or only one aural service. A majority of Marlinton (outlined) presently receives no aural services. More than 12,000 persons within the proposed 60 dBu contour presently receive fewer than five aural services. Over 4,000 persons receive no aural services.

#### **CONCLUSIONS**

The realignment of FM allotments proposed in this Petition has the following benefits:

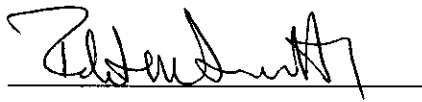
- A first local service is provided to Keswick, VA,
- A first local service is provided to Marlinton, WV
- First or second aural service is provided to much of the area surrounding Marlinton, WV

---

<sup>1/</sup> Population figures are estimates based upon 2000 US Census Block Data

**CERTIFICATION**

I, Robert M. Smith Jr., of Port St. Lucie, FL, do hereby certify that all of the data, calculations and statements in this Statement are true and correct to the best of my knowledge and belief. I further certify that I am an experienced and qualified broadcast engineer and that my qualifications are a matter of record with the Commission.

A handwritten signature in black ink, appearing to read "Robert M. Smith Jr.", is written over a horizontal line.

Robert M. Smith Jr.



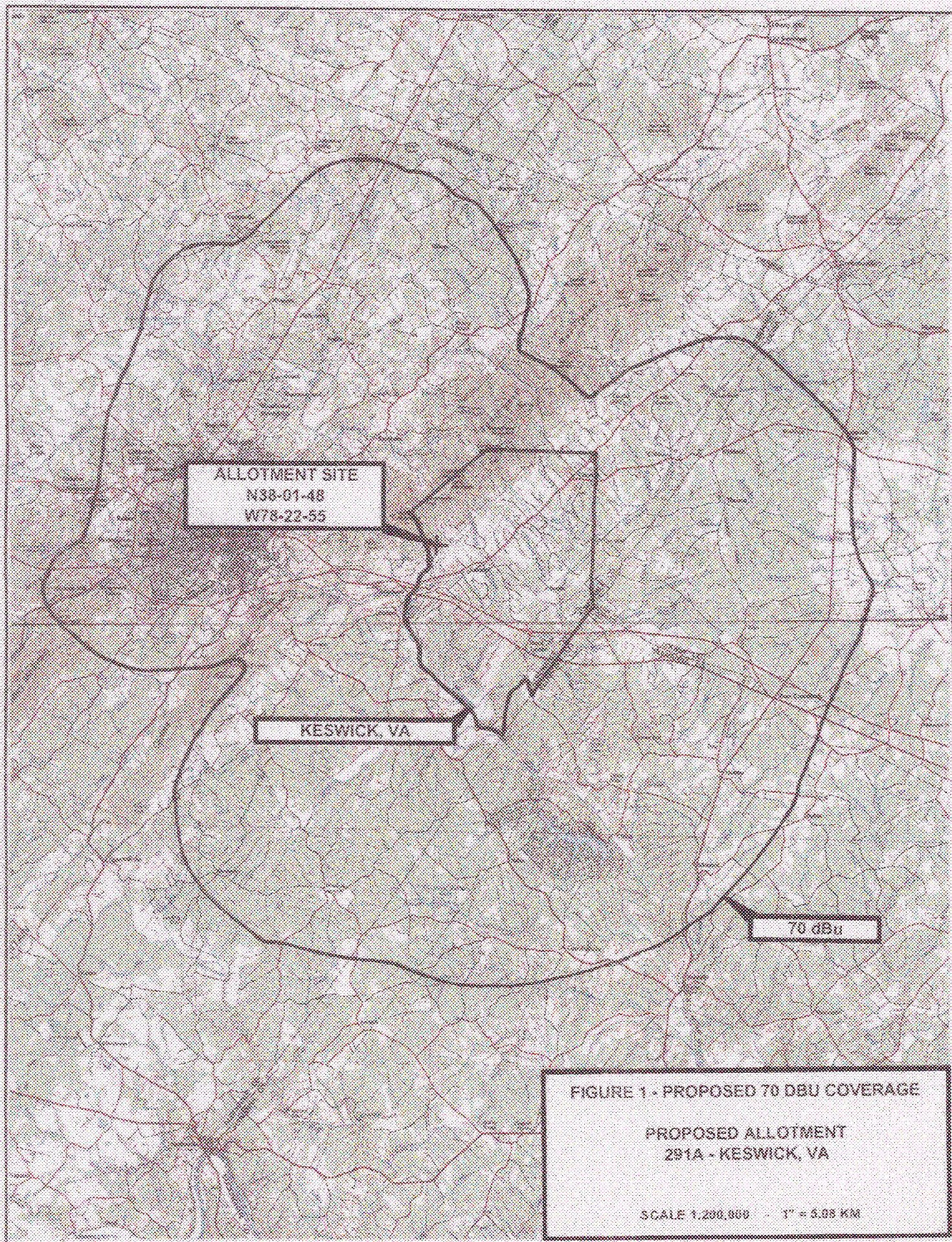








FIGURE 3 - PROPOSED 70 DBU COVERAGE

NEW - 292A - MARLINTON, WV

R.M. Smith Associates  
4267 NW Federal Highway #120  
Jensen Beach, FL 34957

Scale 1:250,000

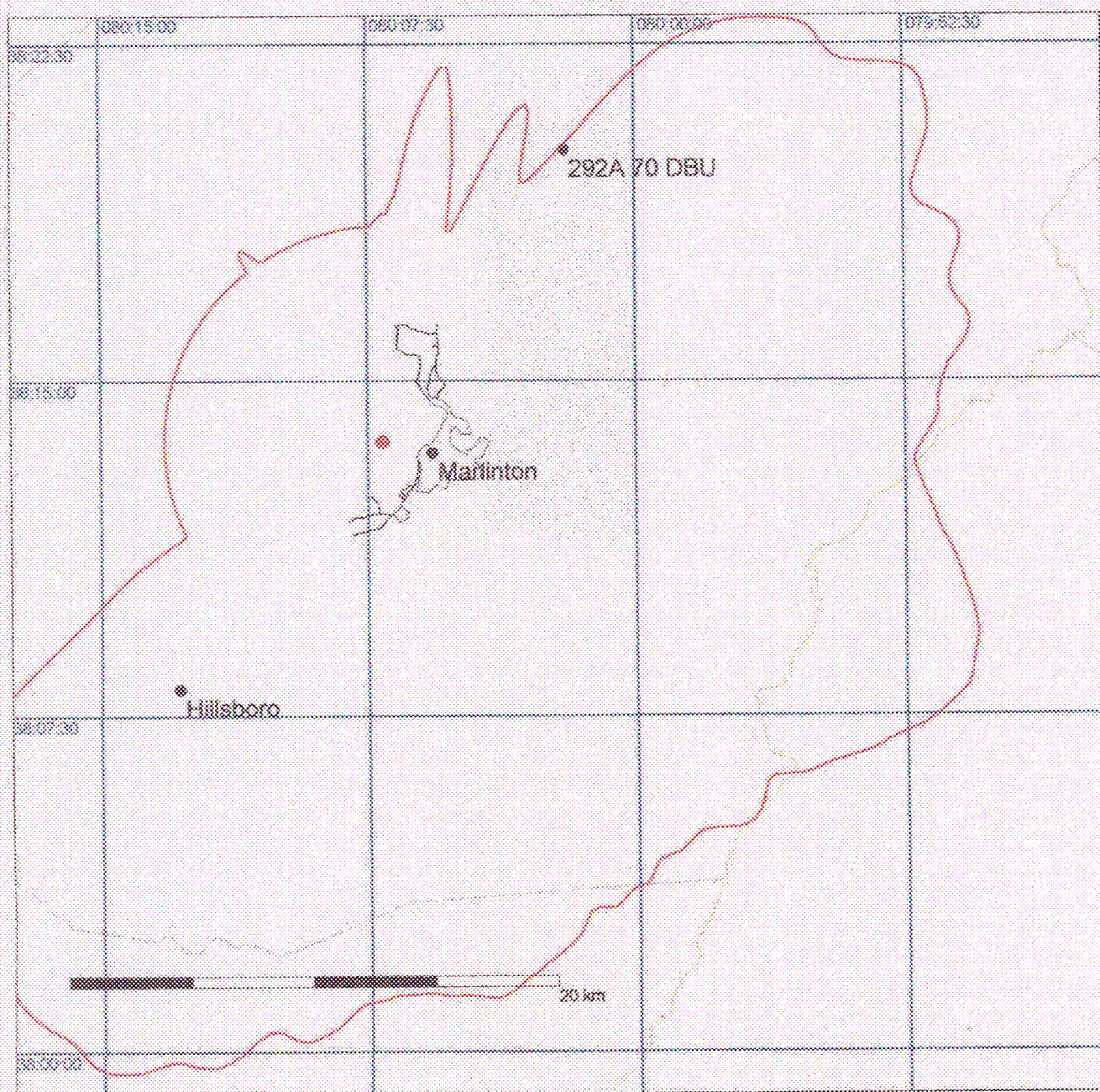




FIGURE 4

REMAINING SERVICES IN CHURCHVILLE, VA

R.M. Smith Associates  
4267 NW Federal Highway #120  
Jensen Beach, FL 34957

Scale 1:500,000





FIGURE 5

UNDERSERVED AREAS

CHURCHVILLE, VA

R.M. Smith Associates  
4267 NW Federal Highway #120  
Jensen Beach, FL 34957

Scale 1:350,000

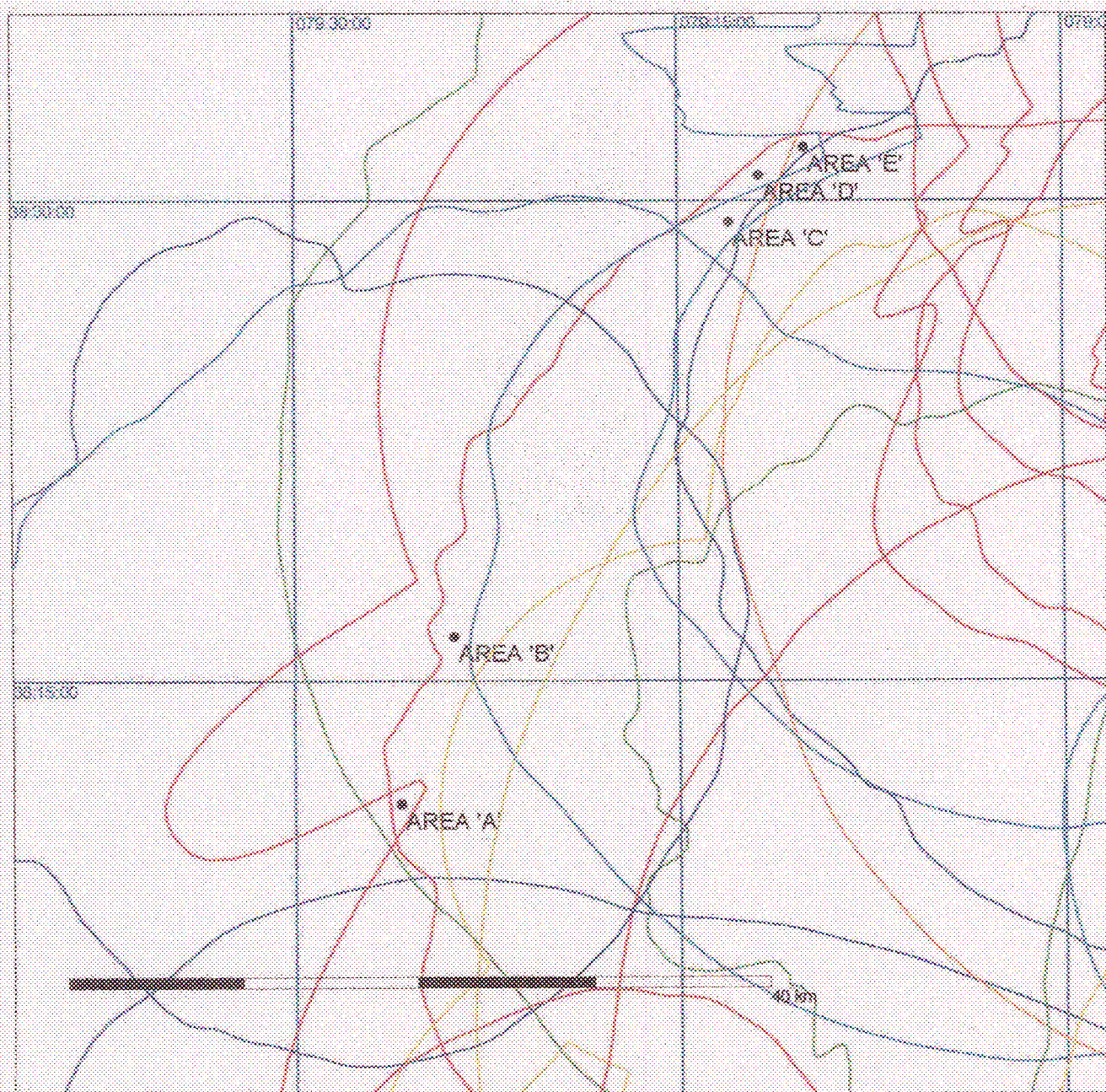




FIGURE 6

PRESENT AURAL SERVICES

MARLINTON, WV

R.M. Smith Associates  
4167 NW Federal Highway #120  
Jensen Beach, FL 34957

Scale 1:500,000



**EXHIBIT 2**

**KESWICK, VIRGINIA  
CITY BOUNDARY  
(URBAN CENTER)**



[illegible][illegible][illegible][illegible]

**EXHIBIT 3**

**KESWICK, VIRGINIA  
CITY BOUNDARY  
(URBAN AND RURAL AREA)**

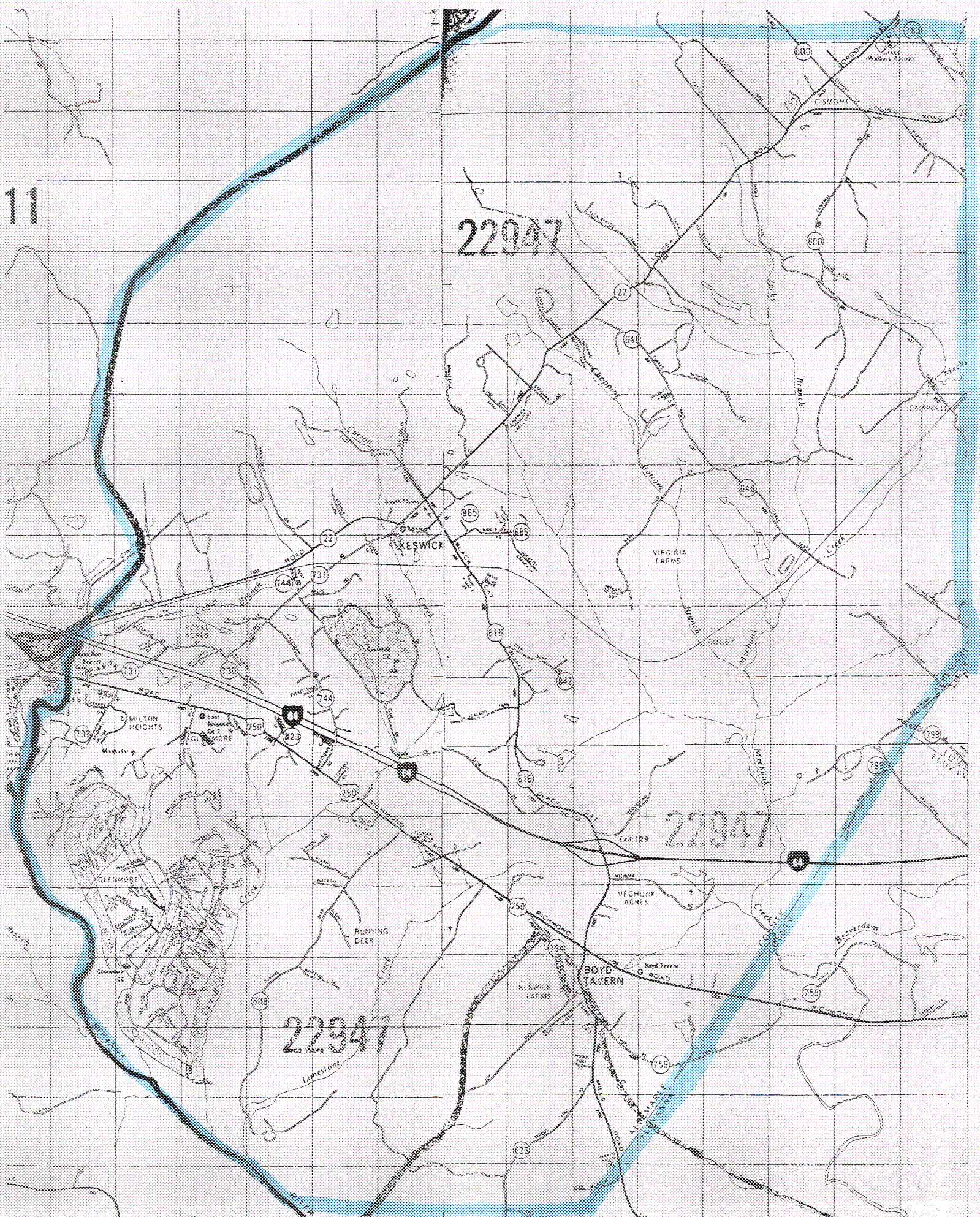


11

22947

22947

22947





**EXHIBIT 4**

**MARLINTON, WEST VIRGINIA**


[Home](#)

## ► Post Office Locator

powered by Switchboard®


**Marlinton Main Office**, 819 4th Ave, Marlinton, WV 24954 [Plan Route >](#)
**Regular Business Hours:**

Week Days 09:00AM-04:30PM

Saturday 09:00AM-12:00PM

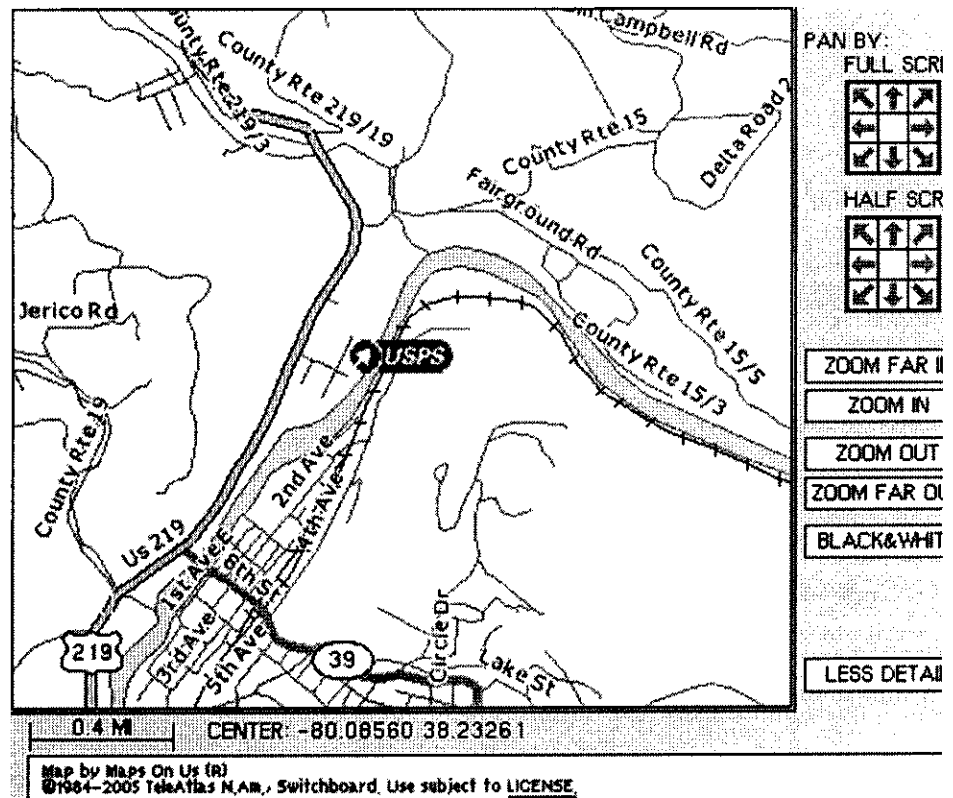
**Latest Collection at Post Office:**

Week Days 09:00AM

Saturday 09:00AM

**Phone:** 1-800-ASK-USPS

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Map-Clicking will: Zoom In  
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**Plan Route** to this listing from the following address:



## PLACE SEARCH

Enter a community or ZIP code:

State:

West Virginia

Search

☐ Include former names **(NEW!)**

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## COMMUNITY

[West Virginia](#) > [All counties](#) > [Pocahontas County](#) > [Marlinton](#)

### Marlinton, WV

Marlinton is a town in [Pocahontas County](#). It is the county seat.

The community is in the Eastern Standard time zone.

The population, at the time of the 2000 census, was 1,204. Population density was 540 people per square mile. Median household income was \$21,293. (For more census details, see our [Marlinton demographic reports](#).)

For a list of former names, see the [Marlinton genealogy & history guide](#).

#### Community festivals include:

- Autumn Harvest Festival & Roadkill Cook-off in September

[Festival guide](#)

#### ESSENTIALS

**FAMILY:** [Marlinton genealogy](#)  
**HOUSING:** [Local homes for sale](#)  
**LODGING:** [Nearby hotels](#)  
**TRAVEL:** [Nearby airports](#)

#### LOCAL GUIDES

##### More info about Marlinton:

[Business](#)  
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[Genealogy](#)  
[Health](#)  
[Moving](#)  
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[Top 10 lists](#)

#### FEEDBACK

Send us your [corrections](#) and [additions](#)

**Nearby parks & recreation:** Calvin Price State Forest, Greenbrier River Trail, Watoga State Park

[More parks info](#)

### Census & demographics

[Marlinton population, race & ethnicity](#)  
[Housing in Marlinton](#)  
[Income in Marlinton](#)  
[Marital status of adults in Marlinton](#)  
[Place of birth of people in Marlinton](#)  
[Residence in 1995, of people in Marlinton](#)  
[School enrollment & education levels in Marlinton](#)  
[Transportation & commute times in Marlinton](#)  
[Pocahontas County data](#)  
[Fastest-growing counties in West Virginia](#)  
[State data - West Virginia](#)  
[Data by street address](#)  
[Historical census records \(Ancestry.com\)](#)

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### All Businesses

Show

Business Name:

Address:

**[Smith, James - Van Reenan Funeral Home](#)**  
**(304) 799-4553**

207 9th St  
**Marlinton, WV** [Map](#)

St

**Bey**

### Beyond Marlinton

Some links and information accompanying the All Businesses listings may be provided by Yahoo! and Yahoo!'s content providers, affiliated with or endorsed by the listers or their listing agents.

### Modify your Search

SEARCH:

(by name or category)

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Address:

(Optional)

**Tip:** If you specify an address, we will search for businesses closest to that address.

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Marlinton WV

Country:

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**Location:** ★ M.  
[Save Location](#) | [Char](#)[Top](#) > [Community](#) > [Libraries](#)

### All Businesses

Sho

Business Name:

Address:

**Mc Clintic Branch Library**  
(304) 799-4165500 8th St  
**Marlinton, WV** [Map](#)**Pocahontas County Library**  
(304) 799-6000500 8th St  
**Marlinton, WV** [Map](#)

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(by name or category)

**Locations:** ---none selected---(Address, Intersection or [Airport Code](#))**Address:**

(Optional)

**Tip:** If you specify an address,  
we will search for businesses  
closest to that address.**City, State or Zip:** Marlinton WV**Country:** United States

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### All Businesses

[Show all](#)

Business Name:

Address:

[Church Of Christ](#)  
(304) 799-6450

1008 Jury St  
[Marlinton, WV](#) [Map](#)

[First Baptist Church](#)  
(304) 799-4099

Hc 82 Box 31c  
[Marlinton, WV](#) [Map](#)

[Grace Baptist Church](#)  
(304) 799-7178

510 3rd Ave  
[Marlinton, WV](#) [Map](#)

[Jehovah's Witnesses](#)  
(304) 799-6043

Rr 1  
[Marlinton, WV](#) [Map](#)

[Marlington First Assembly-God](#)  
(304) 799-7326

Route 219  
[Marlinton, WV](#) [Map](#)

[Marlington Presbyterian](#)  
(304) 799-5435

900 9th St  
[Marlinton, WV](#) [Map](#)

[Marlinton Presbyterian Church](#)  
(304) 799-6145

815 2nd Ave  
[Marlinton, WV](#) [Map](#)

[Marlinton United Methodist Chr](#)  
(304) 799-4055

6th Ave & 9th St  
[Marlinton, WV](#) [Map](#)

[New Hope Church Of Brethren](#)  
(304) 799-4716

Frost Rd  
[Marlinton, WV](#) [Map](#)

[Pocahontas Cooperative Parish](#)  
(304) 799-4271

925 10th Ave  
[Marlinton, WV](#) [Map](#)

[St John Catholic Church](#)  
(304) 799-6778

Route 39  
[Marlinton, WV](#) [Map](#)

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Location: ★ M.  
[Save Location](#) | [Char](#)[Top](#) > [Education and Instruction](#) > [K-12](#) > [School Districts](#)

### All Businesses

[Sho](#)

Business Name:

Address:

**Marlinton Elementary School!**  
(304) 799-6551926 5th Ave # A  
**Marlinton, WV** [Map](#)**Pocahontas County Board Of Ed**  
(304) 799-4505926 5th Ave  
**Marlinton, WV** [Map](#)[Sh](#)[Bey](#)

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(by name or category)

**Locations:** ---none selected---(Address, Intersection or [Airport Code](#))**Address:**

(Optional)

**Tip:** If you specify an address,  
we will search for businesses  
closest to that address.**City, State or Zip:** Marlinton WV**Country:** United States

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### All Businesses

Sho

Business Name:

Address:

**[Fas Chek Super Markets](#)**  
**(304) 799-6336**

916 3rd Ave  
**Marlinton, WV** [Map](#)

**[Fast Break Food Mart](#)**  
**(304) 799-6121**

Route 219 N  
**Marlinton, WV** [Map](#)

**[Huntersville Grocery](#)**  
**(304) 799-6882**

Hc 82 Box 67  
**Marlinton, WV** [Map](#)

**[Pocahontas Foodland](#)**  
**(304) 799-6667**

Route 219 N  
**Marlinton, WV** [Map](#)

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(Optional)

**Tip:** If you specify an address, we will search for businesses closest to that address.

City, State or Zip:

Marlinton WV

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Business Name:

Address:



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Serving Ma

**[Rt. 66 Snowboard & Ski Shop](#)**  
**(304) 572-1200**

**Spruce Vill.**  
**Snowshoe**

### All Businesses

Show

Business Name:

Address:

**Dairy Queen**  
**(304) 799-7227**

Route 219  
**Marlinton, WV** [Map](#)

**Dories Lounge**  
**(304) 799-7165**

Route 219  
**Marlinton, WV** [Map](#)

**French's Diner**  
**(304) 799-9910**

220 8th St  
**Marlinton, WV** [Map](#)

**Godfather's Pizza**  
**(304) 799-4700**

Route 219  
**Marlinton, WV** [Map](#)

**Mill Run Restaurant**  
**(304) 799-6247**

Rr 2 Box 116m  
**Marlinton, WV** [Map](#)

**Mountain Quest Institute**  
**(304) 799-7160**

Route 92  
**Marlinton, WV** [Map](#)

**River Place Restaurant**  
**(304) 799-7233**

814 1st Ave  
**Marlinton, WV** [Map](#)

**Subway Sandwiches & Salads**  
**(304) 799-4455**

1 Seneca Trl N  
**Marlinton, WV** [Map](#)

**Suzie's Chic Inn Restaurant**  
**(304) 799-0892**

Highway Rt 1 Beard Height  
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Business Name:

Address:



**Rite Aid**

(800) 748-3243 [Web Site](#)

Serving Me

### All Businesses

Show

Business Name:

Address:

**Cy's Gas & Grocery**  
(304) 799-0828

4 9th Ave # P  
**Marlinton, WV** [Map](#)

**Edray Kwik Stop**  
(304) 799-7100

Route 219  
**Marlinton, WV** [Map](#)

**Pocahontas Foodland**  
(304) 799-6667

Route 219 N  
**Marlinton, WV** [Map](#)

**Route 39 Chevron**  
(304) 799-6420

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